UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MICHAEL D. HUGHES,)	
Petitioner,)	
v.)	NO. 3:05-0120 JUDGE ECHOLS
HOWARD CARLTON, Warden,)	UUDGE ECHOLS
Respondent.)	
	ORDER	

For the reasons stated in the Memorandum entered contemporaneously herewith, the Court rules as follows:

- (1) Petitioner's Objections (Docket Entry No. 20) to the Magistrate Judge's Report and Recommendation (Docket Entry No. 19) are hereby OVERRULED;
- (2) The Magistrate Judge's Report and Recommendation (Docket Entry No. 19) is hereby ACCEPTED;
- (3) Respondent's Motion for Summary Judgment (Docket Entry No. 7) is hereby GRANTED; and
- (4) This habeas corpus action brought under 28 U.S.C. § 2254 is hereby DISMISSED WITH PREJUDICE.

Because Petitioner cannot demonstrate that reasonable jurists would find the Court's assessment of the constitutional claims debatable or wrong, a Certificate of Appealability will not issue.

See Slack v. McDaniel, 529 U.S. 473, 483-84 (2000).

IT IS SO ORDERED.

ROBERT L. ECHOLS

UNITED STATES DISTRICT JUDGE